



Statewide Small Business Council Meeting Minutes – April 18, 2008

Civil Rights
1823 14th Street
Sacramento, CA
Telephone: (916) 324-6990

Statewide Council Members Present

Borroel, Diana	SACHCC	
Camacho, Julian	HCA	
Chaudhary, Arvin	CELSOC	
Garcia, Rodrigo	SHPE	
Golliet, Gene	SDVOB	
Gonzales, Michael	OSBA	
Guerrero, Paul	CAL-SBE	
Hou, Johnathan	ABA	
Hunsaker, Debbie	GFACC	
Jackson, Jeffrey	AIAI	
James, John	NAMCSC	Alternate
Johnson, Bernard	BCA	
Jordan, Fred	SFBCC	
LaCome, Diana	NCA	
Lau, Eddy	AAAE, SFO	
Llewellyn, Rebecca	WCOE	
McGlover, Stephan	CCCC	
Patten, Ezekiel	BBA	
Ramirez, Frank	TAG	Alternate
Quijano, Epifanio	FASAE, Southern CA	
Watts, Sabrina	GLA/AGC	Alternate
Yang, William	AAAE, Southern CA	

Caltrans Staff Present

Kempton, Will	Director
Fonseca, Olivia	Civil Rights
Abott, Terry	Local Assistance
Alvidrez, Tiffani	Civil Rights
Bergmann, Peg	Civil Rights
Boulware, La Sonja	D11 (San Diego)
Carroll, Patrice	Local Assistance
Caudle, Morris	D6 (Fresno)
Crosby, George	D4 (Oakland)
DeWatney, Bonnie	Civil Rights
Edwards, Cathleen	Civil Rights
Effinger, Robert	Construction
Einhorn, Joanne	D11 (San Diego)
Galia, Chris	DPAC
Jackson, Otis	D7 (Los Angeles)
Johnson, LaKeda	DMT
Padilla, Robert	Civil Rights
Ramirez, Damion	D4 (Oakland)
Rettke, Megan	DPAC
Runge, Pam	D6 (Fresno)
Salazar, Victor	Construction
Sultan, Mohsen	DPM
Via, Jody	D6 (Fresno)
White, Brian	D4 (Oakland)

Guests

Brewer, Brianna	HDR
Carerra, Angel	DGS
Cunningham, Lee	Bay Tank
McGlover, Chloe	
Roessler, Mike	CCCOC/SBDC
Tahan, Michael	D7/8 (LA/SB) - TCM Group
Wong, Samson	SBTRC

WELCOME/INTRODUCTIONS/OPENING REMARKS

Olivia Fonseca, Deputy Director, Civil Rights, California Department of Transportation (Caltrans)/Small Business Council (SBC) Chair called the meeting to order at 8:50 a.m. Statewide SBC members, Caltrans staff, and guests were welcomed and asked to introduce themselves.

Director Kempton recognized Councilmember Llewellyn and her employee injury, which occurred during a Caltrans project. Both Caltrans and small businesses (SB) have a passion for work zone safety.

ACTION

Director Kempton invited Councilmember Llewellyn to attend the next Caltrans Safety Council meeting to share her ideas for construction zone safety.

Director Kempton highlighted Disadvantaged Business Enterprise (DBE) and race-conscious/neutral (RC/RN) goal efforts. Chair Fonseca reminded councilmembers that copies of the RC/RN response letter to the Federal Highway Administration (FHWA) were provided in the February and March 2008 SBC meeting packets. Director Kempton indicated there are groups who have a different view point on the RC/RN goals.

Director Kempton attended the District 4 (Oakland) Cal Mentor event in April, which was very successful. Caltrans is looking to expand the CalMentor Program in District 3 (Marysville). During the Executive Committee meeting, Director Kempton encouraged the SBC—once again—to work with Caltrans in an effort to catapult outreach efforts. There is never enough outreach.

Mandatory pre-bids are doing well; Caltrans is looking into expanding this effort throughout the State. Caltrans is serious that contractors attend the mandatory pre-bid; one contractor did not attend a mandatory pre-bid in District 6 (Fresno) and—as a result—the second bidder was awarded the contract.

Director Kempton attended the 8th Annual Construction Career Awareness Day (CCAD) hosted by Teichert Construction, on April 17, 2008, in Sacramento; construction industry partners included the Associated General Contractors of California (AGC), FHWA, and Caltrans. This event hosted over 1,400 junior high and high school students and jobseekers. Throughout the CCAD, students were seen interactively participating in every field with a greater amount of interest than ever before. Councilmember McGlover noted youth were actually getting jobs during this event and encouraged councilmembers to pay special attention to other CCAD activities in the works that will be made available throughout the State. Director Kempton recognized Ms. Sabrina Watts from AGC as the driving force behind CCAD successes. Ms. Watts announced there would be another CCAD—in conjunction with Caltrans—on May 9, 2008, at Fresno State University.

Chair Fonseca noted the Workforce Development On-the-job Training proposals submitted by Councilmember Hou—City of Long Beach, Sacramento Employment and Training Agency, Cypress Mandela, and California Training and Careers—were partially funded by FHWA.

ACTION

Director Kempton recognized Ms. Watts' contributions to the SBC. Director Kempton suggested a name plate be ordered for Ms. Watts to be displayed during SBC meetings.

ACTION

Councilmember McGlover asked Director Kempton if he had signed the Procurement Fair Guidelines (PFG). Chair Fonseca will do all possible to have the PFG signed by the end of April 2008.

Councilmember Camacho noted the Caltrans Good Faith Effort (GFE) policy needs a review from the top down; Councilmember Camacho stated he has attended mandatory pre-bids, handed out his business cards, collected prime contractor business cards, and has not heard from the prime contractors. Contractors who are awarded projects cannot continue to attempt the GFE two-to-three days before bid-opening. Director Kempton indicated GFE is used to solicit Disabled Veteran Business Enterprise (DVBE) firms; still GFE should be done timely for DVBEs to respond. Councilmember Hou mentioned that any GFEs that indicate efforts were made three-to-five days prior to bid opening should not be considered. Councilmember Golliet stated the key to GFE is economics; maybe a solution would be to provide contractors an incentive by monetarily awarding them for GFE or find something to motivate contractors to comply; Chair Fonseca indicated that State DVBE regulations provide an incentive for DVBE participation. Councilmember Lau mentioned that District 4 (Oakland) keeps track of contracts and noted six contracts have been awarded with low DVBE percentages.

ACTION

Director Kempton will mention the GFE issue at the next quarterly AGC meeting and suggest GFE be done earlier in the process.

ACTION

Director Kempton noted AGC/SBC and CELSOC/SBC should meet to discuss commonality of issues. Ms. Watts indicated she will assist in scheduling the meeting with the AGC.

ACTION

Mr. White, District 4 (Oakland) will send a letter—with the list of those SB/DVBE who attended the April 7, 2008, mandatory pre-bid (MPB)—to prime contractors who attended, in an effort to encourage them to contact the SB/DVBEs.

ACTION

Director Kempton will instruct all districts who have MPBs, to send follow-up letters—with a list of those SB/DVBEs who attended that MPB—to prime contractors who attended, in an effort to encourage them to contact the attending SB/DVBEs.

ACTION

Councilmember Guerrero requested that LAs receive training on how to evaluate GFE.

ACTION

Councilmember Lau recommended contracts be evaluated for compliance, citing an observation in District 4 (Oakland) where a landscape contractor had been awarded 6 contracts without meeting DVBE goals.

ITEM 1 – Terry Abott, Chief, Division of Local Assistance

Mr. Abott provided an overview on the collection of DBE data that is reported twice a year, as required by FHWA. There are master agreements with 800 agencies. The 12 District Local Assistance Employee (DLAE) fundamentally helps agencies comply; Caltrans is here to assist and insist. Ms. Patrice Carroll is the point-of-contact to provide training to DLAEs. Ms. Carroll provided training to DLAEs in 2007, provides Resident Engineer (RE) Training 4 times a year, and provided DBE training on the new RN/RC in 2008. Caltrans staff, in each district, are available to help with Web access challenges. The Local Assistance Program Manual (LAPM) has the instructions on implementing a DBE Program.

ACTION

Councilmember Jordan requested Ms. Carroll supply copies of the information provided at the RC/RN training.

ACTION

Councilmember Llewellyn requested a copy of the LAPM – DBE section.

ACTION

Ms. Watts indicated the California Transportation Investment System (CTIS) identified how LA receives transportation funds; Ms. Bonnie DeWatney, SBC Coordinator, will provide the CTIS Web link to councilmembers.

Ms. Carroll mentioned GFE training will be provided by the Institution of Transportation Services at the University of Berkeley and they are looking at Webinar training.

ACTION

Councilmember Jordan requested the GFE training be a requirement before projects are funded, that contracts should indicate what funds are being used up-front before funds are provided, and that overall goals and approval should be submitted.

ACTION

Mr. Abott will provide the Regional Metropolitan Planning Organization meeting schedule to Chair Fonseca, to distribute to councilmembers.

ACTION

Councilmember Lau requested Mr. Abott provide the last two-year award and commitment information for local DBE attainment and any information on LAs sanctioned for non-compliance with the DBE Program.

ACTION

Councilmember Lau requested a copy of the DBE substitution language used by LAs.

ACTION

Councilmember James mentioned a form used for setting overall goals. Chair Fonseca will provide councilmembers with the Federal Transit Administration, Form 103.

ACTION

Councilmember Hou asked that projects be monitored for DBE involvement on A&E contracts.

ACTION

Additionally, Councilmember Hou asked if there is a way to have DBE participate at the beginning of the LA project, even though the funds are not federal.

ACTION

Provide the Web link for the next RE Academy.

ACTION

Schedule Dr. Attaran, Disparity Study Project Research Manager III, to provide a presentation on the California Transportation Investment Plan.

ACTION

Councilmember LaCome asked for a presentation on environmental justice.

ACTION

Mr. Abott will attend Statewide SBC Meetings on a quarterly basis.

Councilmember Guerrero asked if LAs are implementing 49 Code of Federal Regulations 26.51. Chair Fonseca noted that the California Community College Chancellor's Office extends their technical assistance services to DBEs interested in LA projects.

MOTION

A motion was made to form a new subcommittee. The subcommittee will review GFE and LA RC/RN goals and methodology. Chair: Councilmember Guerrero. LA staff will be part of the committee.

Motion: Councilmember Guerrero

Second: Councilmember Patton

Approved by consensus.

ITEMS 2, 3, 4, 5

- Item 2 – March 21, 2008, meeting minutes will be approved at the next SBC meeting in Fresno.
- Item 3 – Ray Tritt, Chief, Office of Special Projects and Kris Kuhl, Chief, Office of Contract Awards and Services presentation on "Look Ahead" Web pages and links will be rescheduled.
- Item 4 – District updates will be given at the next SBC meeting in Fresno.
- Item 5 – Statewide Committee Reports will be given at the next SBC meeting in Fresno.

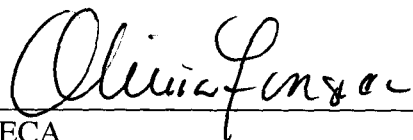
ITEM 6 – Public Comment/Good of the Order

1. California SB Day information is provided in meeting packet.
2. SBC members recognized Joann Einhorn's retirement on April 30, 2008.

Meeting adjourned: 11:30 a.m.

Next meeting: May 16, 2008
Caltrans Manchester Center – District 6
2015 E. Shields Ave., Suite 100
Fresno, CA 93726

Approved by:



OLIVIA FONSECA
Deputy Director, Office of Civil Rights
California Department of Transportation